

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Budny et al.

Art Unit: 3652

Application No: 10/580,031

Examiner: C. A. Fox

Confirmation No: 7557

Filed: May 19, 2006

Atty. Docket No: 47588-229465

For: ARRANGEMENT FOR FILLING AND/OR
EMPTYING CONTAINERS FILLED
AND/OR FOR FILLING WITH ARTICLES
AND MANIPULATION DEVICE FOR
TRANSPORTING THE CONTAINERS

Customer No:

26694

PATENT & TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT (IDS)

Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee (37 CFR 1.97(d)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered.

I hereby certify, pursuant to 37 CFR 1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references. Documents AA – AB and BA – BB listed on the attached PT/SB/08 were cited in the Third Party Submission (Document CA) mailed on December 28, 2010 in related European Application No. 09075225.4-2308. EP 1308101 cited in the Third Party Submission was previously cited in the Information Disclosure Statement filed on May 19, 2006. Documents AB and BA listed on the attached PTO/SB/08 were cited in Examination Report (Document CB) mailed on January 19, 2011 in related European Application No. 09075225.4-2308.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 22-0261 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 47588-229465.

Dated: February 11, 2011

Respectfully submitted,

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